

## **REMARKS**

In response to the above-identified Office Action, Applicants amend the application and seek reconsideration thereof. In this response, Applicants amend Claims 1, 2 and 6. Applicants do not cancel any claims or add any claims. Accordingly, Claims 1-6 are pending.

### **I. In the Specification**

Applicants have amended the informalities identified by the Examiner in the specification on page 2, line 23 by replacing “onto” with –over–. Applicants have also removed the phrase “ and return to their original positions” from the same paragraph.

### **II. Claim Objections**

Applicants have amended the informalities identified by the Examiner in Claim 1. Accordingly, reconsideration and withdrawal of the objection of Claims 1 are requested.

### **III. Claims Rejected Under 35 U.S.C. § 112**

Claims 1-6 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Applicants have amended Claims 1 and 6 to remove the phrase “and return to their original positions.” Applicants have also replaced the term “virtually” by “visually” in Claim 2. Accordingly, reconsideration and withdrawal of the rejection of Claims 1-6 are requested.

### **IV. Claims Rejected Under 35 U.S.C. § 103(a)**

Claims 1-6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Korean Patent Application No. P2000-0055698 applied for by Jeong (“Jeong”) in view of U.S. Patent No. 5,239,183 issued to Kouno (“Kouno”). Applicants respectfully traverse this rejection.

To establish a *prima facie* case of obviousness, the Examiner must show the cited references, combined, teach or suggest each of the elements of a claim. Amended Claim 1 recites a

laser displacement sensor which “measures a gap between the mask and the substrate using a variation in distance values measured successively based on light-receiving positions of the laser beams that are reflected from the mask and the substrate, respectively.” Applicants submit that Jeong in view of Kouno does not teach or suggest at least this element.

Jeong does not teach or suggest the distance values of the mask and the substrate are measured successively. Rather, Jeong discloses the concurrent use of a first position sensitive light detector (PSD) 71 and a second PSD 75 to capture the reflected beams from the mask and the substrate at the same time (Figure 2). Thus, the disclosed measurement requires more than one sensor or one sensor having a large area to receive both reflected beams at the same time.

Applicants submit that the conventional gap measurement apparatus, as the one taught by Jeong, is costly and cannot measure the gap at a desired position of a large area due to the above-mentioned requirement of the sensors (Applicants’ Specification at page 3, lines 5-11 and Figure 1). In contrast, the claimed measurement of distance values of the mask and the substrate are performed successively. Thus, the claimed apparatus does not require as many sensors or as large a sensing area as the one taught by Jeong.

Kouno does not cure the defect of Jeong. The Examiner relies on Kouno for teaching the X, Y, and Z direction transferring units. Assuming for the sake of argument that Kouno’s piezoelectric elements are the claimed transferring units, Kouno does not cure the defect of Jeong for failing to disclose the successive measurements based on light-receiving positions of the laser beams that are reflected from the mask and the substrate, respectively. The Examiner has not identified and Applicants have been unable to discern any part of Kouno that teaches or suggests the successive measurements as claimed. Thus, Jeong in view of Kouno does not teach or suggest each of the elements of Claim 1. Accordingly, reconsideration and withdrawal of the obviousness rejection of Claim 1 are requested.

Likewise, Claim 6 recites “emitting laser beams on an upper surface of the substrate by passing the mask, and measuring a first distance value based on light-receiving positions of the

laser beams that are reflected from the upper surface of the substrate, using the laser displacement sensor;” and “emitting laser beams on a mask pattern placed on a lower surface of the mask and measuring a second distance value based on light-receiving positions of the laser beams that are reflected from the mask pattern, using the laser displacement sensor.” Claim 6 similarly recites that the distance value of the substrate and the distance value of the mask are measured in separate or successive measuring steps. Thus, for at least the reasons mentioned above in regard to Claim 1, Jeong in view of Kouno does not teach or suggest each of the elements of Claim 6. Accordingly, reconsideration and withdrawal of the obviousness rejection of Claim 6 are requested.

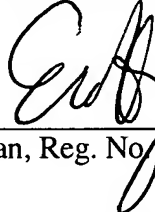
Claims 2-5 depend from Claim 1 and incorporate the limitations thereof. Thus, for at least the reasons mentioned above in regard to Claim 1, Claims 2-5 are nonobvious over Jeong in view of Kouno. Accordingly, reconsideration and withdrawal of the obviousness rejection of 2-5 are requested.

## CONCLUSION

In view of the foregoing, it is believed that all claims now are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP



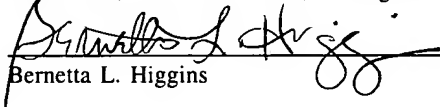
Dated: August 10, 2005

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### CERTIFICATE OF MAILING:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 10, 2005.



Bernetta L. Higgins

August 10, 2005